

## WESTERN DIVISION

**V.**

## ORDER


In sum, the court DISMISSES Gardner's: (1) official capacity claims against all defendants; (2) individual capacity claims against defendant James Vaughn; (3) Eighth Amendment claim against

defendant Natarajan Rajan and defendant Dr. Eurgia Land related to the prescription of Flomax and the treatment of his erectile and sexual dysfunctions; and (4) state law medical malpractice claims.

Gardner may proceed with his Eighth Amendment claim against Rajan and Land concerning the management of his pain after surgery. The court further ORDERS as follows:

1. The clerk shall manage the action pursuant to Standing Order 14-SO-02.
2. If service on any defendant pursuant to the Standing Order fails, the court DIRECTS the United States Marshal Service to make service pursuant to 28 U.S.C. § 1915(d).

SO ORDERED. This 6 day of April 2018.

  
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JAMES C. DEVER III  
Chief United States District Judge